

REMARKS

Reconsideration of pending claims 41-44 and 56-67 is respectfully requested.

Applicant has amended claim 41.

The claim rejections under 35 U.S.C. § 102

Claims 41-43 and 67 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,992,182 to Frank.

Applicant has amended claim 41 to further clarify the concept of a roller being “slippable.” Claim 41 includes a plurality of rollers having an inner diameter slippable relative to the outer diameter of the shaft, further being slippable relevant to a torque imposed by conveying the project, the roller shafts further being divided into a first section that slip at a first predetermined torque, and a second portion that slips at a second predetermined torque greater than the first torque. In contrast, Frank discloses rollers 24 and 25 that operate continuously at different speeds. Frank does not disclose slippable rollers, and further does not disclose sets of rollers that slip at different torques.

Referring to Frank, the passage of Frank cited in the Office Action refers to conveyor rolls intermediate of the first series of rolls or the second series of rolls, and capable of being engaged with either the first series of rolls or the second series of rolls. In column 4, from lines 3 to 43, Frank further describes the operation of the first series of rolls (24) and the second series of rolls (25). Each of these series of rolls (24, 25) are described in terms of “continuous operation” (column 4, lines 20 and 37). In addition, the two series of rolls (24, 25) are described in terms of their operational speeds being

different (column 4, lines 25-29). Nowhere does Frank refer to rolls that are slippable. Further, nowhere does Frank refer to rolls that slip at different **torques**. Instead, Frank directs his invention to continuously operated rollers that operate at different **speeds**.

Further, Frank further describes that the first series of rolls run “continuously at a first conveyor speed through the furnace” (column 4, lines 19-21). It is unimaginable that Frank would contemplate rollers that would slip within a furnace. This would permit some products (glass sheets) to stay in the furnace longer than other sheets, because these hypothetical rollers would be slipping. The undersigned is unaware of glass furnaces that operate in such an unpredictable manner.

Applicant has amended claim 41 to clarify the action of a slippable roller. Claim 41 includes a combination of elements not found in any reference, and Applicant respectfully requests withdrawal of the rejection of claim 41 and all claims dependent thereon.

Applicant brings to the attention of the Examiner the following description of US Class/subclass 198/781.01 (emphasis added) as follows:

*198 / 781.01 .. Live roll drive engages, disengages, or **slips** responsive to load position or blockage:*

*This subclass is indented under subclass 780. Subject matter having a means to bring a cylindrical motion transmitting device and the load conveying device in contact with each other or out of contact with each other or to permit abnormal movement to take place between the cylindrical motion transmitting device and the load conveying device in response to (a) a sensor detecting the presence or absence of the load at a predetermined position on the conveyor or (b) **a device responsive to excessive load on the conveyor**.*

Applicant further brings to the attention of the Examiner the following portions of the specification as originally filed which pertain to slippable rollers: page 8, lines 17-25; page 12, lines 13 to page 13, line 5; and page 16, line 28 to page 17, line 2. Applicant

cites these portions of the specification in order to verify that no new material has been added by the amendments to claim 41, and not to further define the amendments of claim 41.

The rejections under 35 U.S.C. § 103

Claim 44 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of U.S. Patent No. 3,894,627 to Jabbusch.

Claim 44 includes a combination of elements not found in the combination of Frank and Jabbusch. Lacking all elements of claim 44, a *prima facie* case of obviousness has not been established. Applicant respectfully requests withdrawal of the rejection of claim 44.

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Claims 56, 57, 58 and 63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of Jabbusch in further view of U.S. Patent No. 6,522,944 to Wielebski.

Claims 56, 57, and 58 each include a combination of elements not found in the combination of Frank, Jabbusch, and Wielebski. Since a *prima facie* case of obviousness has not been established, Applicant respectfully requests withdrawal of the rejection of these claims.

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Claims 59-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of U.S. Patent No. 3,391,520 to Albrecht.

Claims 59-62 each include a combination of elements not found in the combination of Frank and Albrecht. Since a *prima facie* case of obviousness has not been established, Applicant respectfully requests withdrawal of the rejection of these claims.

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Claims 64 and 65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of U.S. Patent No. 6,454,079 to Teramoto.

Claims 64 and 65 include a combination of elements not found in the combination of Frank and Teramoto. Since a *prima facie* case of obviousness has not been established, Applicant respectfully requests withdrawal of the rejection of these claims.

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Claim 66 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of Jabbusch in further view of Wielebski in further view of Albrecht.

Claim 66 includes a combination of elements not found in the combination of Frank, Jabbusch, Wielebski, and Albrecht. Since a *prima facie* case of obviousness has not been established, Applicant respectfully requests withdrawal of the rejection of these claims.

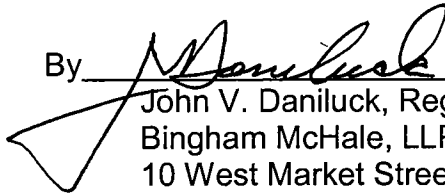
CLOSING

Applicant has amended claim 41. Applicant respectfully requests issuance of a Notice of Allowance for pending claims 41-44 and 56-67.

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede any basis for rejections or objections in the Office Action. For those rejections based upon a combination of references and/or modification of references, there is no admission that the cited combinations are legally permitted, properly motivated, operable, or modifiable. Further, with regards to the various statements made in the Office Action concerning any prior art, the teachings of any prior art are to be interpreted under the law. Applicants make no admissions as to any prior art. The remarks herein are provided simply to overcome the rejections and objections made in the Office Action in an expedient fashion.

The undersigned welcomes a telephonic interview with the Examiner if the Examiner believes that such an interview would facilitate resolution of any outstanding issues.

Respectfully submitted,

By  _____
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